

DELEGATION OF AUTHORITY

DATE: 8-2-17

SOLID WASTE DISPOSAL ACT (SWDA)

8-22. Imminent and Substantial Endangerment

1. PURPOSE AND LEGAL AUTHORITY.

A. Purpose. To redelegate the authority contained in Delegation 8-22 issued by EPA Headquarters on January 18, 2017.

B. Authority. Pursuant to the Solid Waste Disposal Act (SWDA), including Section 7003:

- a. to make determinations that the handling, storage, treatment, transportation, or disposal of any solid waste or hazardous waste may present an imminent and substantial endangerment to health or the environment;
- b. after giving notice to the affected state, to take administrative action including, but not limited to, issuing unilateral orders or orders on consent as may be necessary to protect health and the environment; and
- c. to give notice to appropriate local government agencies upon receipt of information that there is hazardous waste at any site which has presented an imminent and substantial endangerment to human health or the environment, and to require notice of the endangerment to be posted at the site where the waste is located.

2. TO WHOM REDELEGATED. The Director, Office of Site Remediation and Restoration (OSRR) and the Director, Office of Environmental Stewardship (OES), who may exercise this authority independently.

3. REDELEGATION AUTHORITY.

A. These authorities may be redelegated to the Section Chief level, and no further.

B. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

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4. LIMITATIONS.

A. The authorities in 1.B.a. and 1.B.b. shall be exercised subject to directives issued by the Assistant Administrator (AA) for the Office of Enforcement and Compliance Assurance (OECA).

B. The Director, OSRR and the Director, OES must obtain the advance concurrence of the Manager, Legal Enforcement Office, OES, or his/her designee, on the legal sufficiency of the action before exercising the authority to issue orders in 1.B.b. The Manager, Legal Enforcement Office, OES, or his/her designee, may waive concurrence in writing.

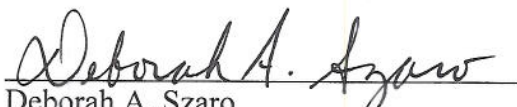
C. The Director, OSRR, and the Director, OES, must consult with the Regional Administrator (RA) and the AA for OECA before exercising the authority to issue orders in paragraph 1.B.b. The RA and the AA for OECA may waive consultation in writing.

D. This authority may not be redelegated without the concurrence of the Regional Directives Officer, Office of Human Resources, Office of Administration and Resource Management.


E. The AA for OECA must consult with any affected RAs before exercising the authority to issue orders in paragraph 1.B.b.

5. ADDITIONAL REFERENCES. None.


6. SUPERSESSON. Region I Delegations 8-22-A, 8-22-B and 8-22-C, dated November 6, 2000, and Delegation 8-23, dated May 19, 1999.


Deborah A. Szaro
Acting Regional Administrator

3/2/17
Date


Susan Studlien, Director
Office of Environmental Stewardship

03/01/2017
Date


Bryan Olson, Director
Office of Site Remediation and Restoration

3/1/17
Date